



DISTRICT COURT OF MARYLAND FOR Washington County

Located at 36 West Antietam St, Hagerstown, Maryland 21740



Case No. D-112-CR-23-002225

STATE OF MARYLAND VS. LOMAX, KRYSTOFER WILLIAM

145 BRYNWOOD
HAGERSTOWN, MD, 21741
SID: 0002487773 LID:
FBI#:

INITIAL APPEARANCE REPORT

(Md. Rules 4-213, 4-213.1, 4-216 and 4-216.1)

Advice

I hereby certify that when the above named Defendant was brought before me for initial appearance, I:

ADVISED Defendant has appeared without an attorney and has a right to an attorney at the initial appearance, of the importance of having an attorney and, if indigent, the Public Defender will provide representation if the proceeding is before a judge or, a court-appointed attorney will provide representation if the proceeding is before a commissioner.

ADVISED Defendant has the right to waive the right to be represented by an attorney at the initial appearance and the waiver is only applicable to the initial appearance and not to any other hearing or proceeding.

ADVISED Defendant has an absolute right to hire a private attorney at Defendant's expense to defend against these charges. If the Defendant does not have the money to hire a private attorney, the Defendant is advised to apply right away to a District Court commissioner for representation by the Public Defender. A District Court commissioner makes the determination of whether the Defendant is financially eligible for the services of the Public Defender. After receipt of the Final Qualification, all further questions should be directed to the Public Defender's Office.

ADVISED Defendant any representation by a court-appointed attorney is provisional, limited to the initial appearance, and will terminate automatically upon conclusion of the hearing.

INFORMED Defendant of each offense charged and of the allowable penalties, including any mandatory or enhanced penalties, if any.

PROVIDED Defendant with a copy of the charging document since Defendant did not already have one.

READ to Defendant, the Notice of Advice of Right to Counsel.

ADVISED Defendant that if Defendant appears for trial without counsel, the Court could determine that the Defendant waived counsel and the Defendant may have to proceed to trial unrepresented by counsel.

WAIVER OF ATTORNEY: Defendant elected to waive an attorney at initial appearance.

ADVISED Defendant that an attorney can be helpful in explaining the procedure and in advocating that the Defendant should be released immediately on recognizance or on bail with minimal conditions,

ADVISED Defendant that it may be possible for the attorney to participate electronically or by telecommunication, and

ADVISED Defendant that any waiver would be effective only for the initial appearance and not for any subsequent proceedings.

CERTIFICATION: The judicial officer finds that the Defendant knowingly and voluntarily waived the right to an attorney at the initial appearance. Waiver is only applicable at the initial appearance hearing and not to any other hearing or proceeding.

ADVISED Defendant that the charge is a felony that is not within the jurisdiction of the District Court; the Defendant has a right to have a preliminary hearing by a request made now or within 10 days; and failure to make a timely request will result in a waiver of this hearing.

Defendant requests preliminary hearing. It is scheduled for 01/31/2023 at 8:30 AM in Room 02, at 36 West Antietam St, Hagerstown, Maryland 21740.

Pretrial Release Determination

On the basis of information available to and developed by me I HAVE DETERMINED:

That release on personal recognizance will not reasonably ensure the appearance of the Defendant as required because:

Tracking No. 239000000116

DC-CR-007 (Rev. 11/2017)



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Nature and circumstance of the offense charged.

The following Required Condition(s) of Release are imposed on the Defendant:

Do not engage in any criminal conduct during the period of pretrial release.

Appear in court when notified to do so.

Subjected to the following Special Conditions:

Shall not own or possess a firearm, destructive device, or other dangerous weapon of any description.

Abstain from alcohol, or abusive use or possession of a narcotic drug or other controlled dangerous substance as defined in Code, Criminal Law Article, §5-101(f), without a prescription from a licensed medical practitioner.

Required a bail bond in the amount of \$10,000.00, with collateral security to be satisfied by depositing in cash or certified check, by encumbering real estate, or by pledging intangible property approved by the Court.

Notice

I INFORMED THE DEFENDANT:

1. that a condition of ANY release is that Defendant appear for hearing and/or trial as directed by the Court.
2. that a warrant will be issued for the Defendant's arrest for any violation of condition(s) of release; that if the recognizance or bail bond is forfeited and the Defendant fails to surrender within 30 days following the forfeiture, on a felony charge the penalty imposed may be up to 5 years in jail and/or a fine up to \$5,000, or on a misdemeanor charge the penalty imposed may be up to 1 year in jail and/or a fine up to \$1,000; that the Defendant may be charged with contempt of Court.
3. to notify the Court in writing of any change of address or telephone number.

Date: 01/06/2023 Time: 5:23 AM

Commissioner: T. Reed

T. Reed #B079
Commissioner

B079

Receipt

I have ☐ read ☐ had read to me the offense(s) for which I am charged, the conditions of release, the penalty for violation of the conditions of release, the Notice of Advice of Right to Counsel. I acknowledge receipt of a copy of this form.

My Bail Review date is 01/06/2023 at 01:00 pm, at 36 West Antietam St, Hagerstown, Maryland 21740.

I have been informed that the Trial/Hearing date is 01/31/2023 at 8:30 AM in Room 02, at 36 West Antietam St, Hagerstown, Maryland 21740.

I agree to any conditions of release and agree to appear as directed.

1-6-23

Date

8

Signature of Custodian

[Signature]
Signature of Defendant

**FAILING TO APPEAR FOR COURT WILL
RESULT IN A WARRANT FOR YOUR ARREST!**
If you have not received a trial date within 14 days,
call 240-420-4600, or inquire online at:
<http://casesearch.courts.state.md.us/casesearch/>
You must report mailing address changes to the Court!

Tracking No. 239000000116

DC-CR-007 (Rev. 11/2017)



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Case No. D-112-CR-23-002225

STATE OF MARYLAND

VS.

LOMAX, KRYSTOFER WILLIAM

145 BRYNWOOD

HAGERSTOWN, MD 21741-0000

SID: 0002487773

LID:

DEFFBINO:

DOB: 07/21/1983

INITIAL APPEARANCE QUESTIONNAIRE

DEFENDANT RESPONSES

Alias/Maiden Name:

How Long Current Address: 5 YRS

Rent: No

Own: No

Previous Addr 1: 124 E. BALTIMORE ST-

HAGERSTOWN, MD 21740

How Long: 6 MOS

Previous Addr 2: 41 RANDRUE DR

MARTINSBURG, WV

How Long: 10 YRS

Maryland Resident: No

Place of Birth: WASHINGTON D.C.

Marital Status: Married

Living With:

Relationship: Wife

of Dependents: 6 Relationship:

Driver's License #: L520478887574

State: MD

Employer: UBER/DM BOWMAN

Phone #: () -

Full Time: No

Address:

HAGERSTOWN, MD

Part Time:

Occupation:

How Long:

Income: \$0.00

Source:

of Dependents rely on income: 6

Licensed By:

License #:

Last Employer:

Phone #: () -

How Long:

Greatest Recurring Expense:

Amount: \$0.00 W___/M___

Other Assets:

Prior Convictions: Yes

Prior FTA: Yes

Pending Cases: Yes

Probation/Parole: Yes

RECORD CHECK

Commissioner verified, No, CP 5-202 does not apply.

DISTRICT COURT

Traffic: Y

Criminal: Y

Warrant: Y

Civil: N

CIRCUIT COURT

MVA

Statewide: N

Conviction Synopsis: N

Individual: N

Prob/Admin Per Se Hist: N

JPORTAL

DV OFFICE

DJS ASSIST

MOSOR

Case Search: Y

DV/PO: N

Juvenile: N

Registered/Lifetime Sex Offender: N

MD DV/PO: N

CJIS

WRAP/RAPS: Y

OBII: Y

METERS/NCIC/III/NLETS

III QH: Y QR: Y QWI: Y

NLETS IQ: N FQ: N

DRIVERS LICENSE QUERIES DQ: N KQ: N

MVA MDQ: N

Wanted Persons QW: Y

There are COMMENTS associated with this case. See ATTACHED PAGE.

01/06/2023

Commissioner

[Signature] Reed #B079
(Signature) Commissioner

ID: B079

NOTICE OF ADVICE OF RIGHT TO COUNSEL FOR ALL JUDICIAL PROCEEDINGS

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - (A) explaining the charges in this paper;
 - (B) telling you the possible penalties;
 - (C) explaining any potential collateral consequences of a conviction including immigration consequences;
 - (D) helping you at trial;
 - (E) helping you protect your constitutional rights; and
 - (F) helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.2 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. To apply for Public Defender representation, contact a District Court commissioner.
8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Contact information for District Court Commissioner's Offices can be found at:

<http://www.mdcourts.gov/district/directories/commissionermap.html>

If you require further information about qualifying for a Public Defender, call 1-833-453-9799.

NOTICE TO DEFENDANT

1. **MUST APPEAR** - If the offense with which you are charged is a 'MUST APPEAR' offense, you may not waive trial but are required to appear in court when notified. PLEASE NOTE THAT FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.
2. **PRESET FINE** - You must either pay the preset fine, request a waiver hearing, or request a trial date within 30 days after receipt of the citation/summons/warrant.

NOTE: If charged by citation, follow instructions on the citation. **IF CHARGED BY STATEMENT OF CHARGES (SUMMONS OR WARRANT), CHECK ONE OF THE FOLLOWING OPTIONS, SIGN AND DATE, AND MAIL THIS FORM, ALONG WITH A COPY OF THE STATEMENT OF CHARGES (SUMMONS OR WARRANT) TO THE ADDRESS SHOWN BELOW:**

☐ **OPTION #1:**

Pay the full amount of the preset fine at any District Court of Maryland location, or with a credit card at the Maryland Judiciary Website or by phone (see below) or by mail to the address shown below.

To pay by mail:

- Make your check or money order payable to the District Court of Maryland. Include citation number(s) you wish to pay on check.
- An additional \$10 service fee will be imposed for each dishonored check.

☐ **OPTION #2:**

Request a Waiver Hearing: I admit I committed the violation in this Statement of Charges, and I request a waiver hearing to explain the circumstances to a judge. I understand this is not a trial, the officer and witnesses will not be present, and my appearance in court is for sentencing only.

☐ **OPTION #3:**

Request a trial date: I request a trial date for the violation(s) charged.

Date

Signature

**District Court Traffic Processing Center
District Court of Maryland
P.O. Box 6676
Annapolis, MD 21401-0676**

Please note that payment in full of the preset fine will close the violation and result in the entry of a conviction for the violation(s). Please note further that points will be assessed by Motor Vehicle Administration (MVA) on your driving record after conviction of a violation of the Motor Vehicle Laws of this State. If you fail to comply with one of the above options within 30 days of receipt of a citation/summons/warrant, MVA will be notified and may take actions to suspend your license. Driving on a suspended license is a criminal offense for which you could be incarcerated.

FOR MORE INFORMATION AND TO PAY CITATIONS:

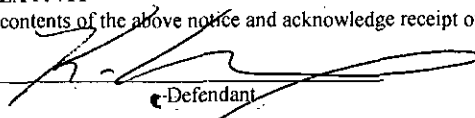
Visit the MD Judiciary Website at www.mdcourts.gov/district or call the Interactive Voice Response (IVR) System for trial dates, court locations, and directions.

From all areas including out-of-state calls: 1-800-492-2656


TTY users call Maryland RELAY: 711

I have read or have had read to me the contents of the above notice and acknowledge receipt of a copy thereof.

1-6-23
Date


Defendant

1-6-23
Date


Judge/Commissioner

Reed #B079
Commissioner

IMPORTANT NOTICE

The attached papers charge you with committing a crime. Depending on the crime charged, a **jail sentence** could be imposed by the court if you are found guilty. You have a right to be represented at trial by a lawyer. **ACT IMMEDIATELY** to obtain a lawyer. If you cannot afford a lawyer, you may apply for the Public Defender through the **District Court Commissioner** who will determine if you are eligible for the Public Defender to represent you at trial. If you wait too long to retain the Public Defender or private counsel you can be made to stand trial without a lawyer. Applications are accepted at any District Court Commissioner's Office during operating hours. Please contact the office listed below for operating hours:

District Court Commissioner Station for Washington County
36 WEST ANTIETAM ST
Hagerstown, MD 21740
1-833-453-9799

You should bring the following papers to apply for the Public Defender's services:

1. Court charging documents/traffic tickets. (Statement of Charges/all documents issued to you by court).
2. Trial date notices from the court. (You may apply even if no trial date has been received.)
3. If you are employed:
Written proof of salary, pay stubs, or other written verification of income for the last two pay periods.
4. If you are unemployed:
Proof of public assistance, medical assistance, Social Security or Supplemental Security Income (SSI), or other assistance you are receiving.

For more information on operating hours or locations visit the Maryland Judiciary website:
mdcourts.gov/district/directories/commissionermap
If you require further information about qualifying for the Public Defender, call 1-833-453-9799.

IMPORTANT

IF THE COMMISSIONER DETERMINES THAT YOU ARE ELIGIBLE TO BE REPRESENTED BY THE PUBLIC DEFENDER AT TRIAL, YOU WILL RECEIVE A **FINAL QUALIFICATION** IN WRITING. ONCE YOU HAVE RECEIVED THE FINAL QUALIFICATION, ALL QUESTIONS SHOULD BE DIRECTED TO THE PUBLIC DEFENDER'S OFFICE:

The address of the Public Defender is:

**81 W. WASHINGTON ST., SUITE A
HAGERSTOWN, MARYLAND 21740**

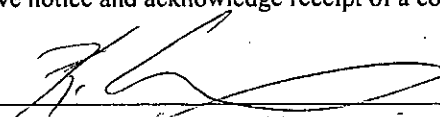
Their telephone number is: **301-791-4735**

The Office of the Public Defender is open weekdays from 8:30 a.m. to 4:30 p.m.

I have read, or have had read to me, the contents of the above notice and acknowledge receipt of a copy thereof.

1-6-23

DATE


SIGNATURE OF DEFENDANT

**IF YOU DO NOT HAVE A LAWYER ON THE TRIAL DATE, YOU MAY
HAVE TO GO TO TRIAL WITHOUT THE ASSISTANCE OF A LAWYER.**



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145 BRYNWOOD

HAGERSTOWN, MD 21741-0000

NOTIFICATION OF PROCEEDING REPORT

(Md. Rule 4-216(g))

No notification required and why: DEF WAIVED ATTY AT IA

Upon Completion of Proceeding

STATE'S ATTORNEY: APPEARANCE

Participated: No

CONFIRMATION that Defendant Waived an Attorney and the advice under Rule 4-213.1(e) was given to the Defendant and the waiver was knowingly and voluntary.

CONFIRMATION the judicial officer complied with Rules 4-216(g) and 4-213(a).

Defendant was ordered pursuant to Rule 4-216.1 released on the following conditions:

Not engage in criminal activity.

Appear in court.

Not own/possess weapons.

Not use alcohol, drug, controlled substance.

1-6-23

Date

Judicial Officer

T. Reed #B079
Commissioner

ID Number

B079